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**Subject:** Judge Kavanaugh Is an Exceptionally Qualified and Deserving Nominee for the Supreme Court  
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**Attachments:** [Judge Brett Kavanaugh.pdf](#)  
[Judge Brett Kavanaugh - By the Numbers.pdf](#)

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Attorneys General,

I wanted to share the below and attached with you regarding Judge Brett Kavanaugh, whose Supreme Court confirmation hearings began today.

Also, I wanted to note that I have started as Deputy Director for White House Intergovernmental Affairs and am responsible for Attorneys General. Please do not hesitate to reach out if I – or our team – can be of any assistance.

Thank you.

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## **Judge Kavanaugh Is an Exceptionally Qualified and Deserving Nominee for the Supreme Court**

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**EXCEPTIONALLY QUALIFIED:** Judge Kavanaugh's extensive experience and credentials make him one of the most exceptionally qualified Supreme Court nominees in history.

- On the night of his nomination, *USA Today* reported that “[o]n paper ... Kavanaugh may be the most qualified Supreme Court nominee in generations.”
- The American Bar Association unanimously gave him its highest rating: well-qualified.
- He has served on the United States Court of Appeals for the D.C. Circuit, often called the Nation's “second highest court,” for more than 12 years.
  - He has written more than 300 opinions and heard more than 2,000 cases.
  - At least 13 of his opinions have been vindicated by the Supreme Court—an unparalleled record of influence and success across the ideological spectrum.
- He is a co-author of a leading book on judicial precedent and has published nine articles in respected academic law journals.
- He has taught for more than a decade at the Nation's two top law schools, Yale and Harvard (where he was hired by then-Dean and now-Justice Elena Kagan).
  - The *New York Times* noted that his teaching evaluations reflect “glowing

praise ... [m]ore than a few students said he was the most impressive law school professor they had ever encountered.”

- He clerked for Supreme Court Justice Anthony Kennedy, who became a mentor.
- He has argued before the Supreme Court.
- He served more than five years in the White House, including as White House Staff Secretary and as Associate White House Counsel.
- He was a partner at a respected law firm, where he wrote several Supreme Court briefs and also provided pro bono legal services to a range of clients.
- He is a graduate of Yale College and Yale Law School, where he was an editor on law review.

**INDEPENDENT AND IMPARTIAL:** Judge Kavanaugh has a clear record as an independent and impartial arbiter of the law.

- He bases his rulings on the law—not politics, policy, or the identities of the litigants.
- He has ruled both for and against businesses, workers, environmentalists, landowners, civil-rights plaintiffs, political parties, and criminal defendants.
  - He ruled against the Republican National Committee in one campaign-finance case and in favor of Emily’s List (a liberal pro-choice group) in another campaign-finance case.
  - He ruled in favor of a pro se African-American plaintiff who had been called the “n-word” at work, concluding that he had endured a hostile work environment.
  - He has ruled in favor of convicted drug dealers and murderers who were denied fair trials.
  - He has ruled in favor of environmentalist plaintiffs and the Environmental Protection Agency in some cases, and in favor of Western landowners and coal miners in others.
- He ruled at least 23 times against Bush Administration agencies from 2006 to 2008.
- His opinions are as likely to be joined in full by his Democrat-appointed colleagues (88.67 percent) as by his Republican-appointed colleagues (88.94 percent).
  - On at least 10 occasions, he has sided with a Democrat-appointed colleague over the dissent of a Republican-appointed colleague.
- Chief United States Circuit Judge Garland (appointed by President Clinton and nominated for the Supreme Court by President Obama) has joined Judge Kavanaugh’s majority opinions 96.43 percent of the time.

**DEVOTED TO PRECEDENT:** Judge Kavanaugh’s work demonstrates a strong devotion to precedent and stability in the law.

- He co-wrote a leading book on judicial precedent with 10 other judges.
  - The book explains that precedent is critical to stability in the law and

“allows individuals to plan their affairs and to safely judge their legal rights.”

- He has written that it is “essential for courts to be as consistent as we possibly can.”
- His decisions have invoked *stare decisis* (the need to follow precedent).
  - In one opinion, he described an earlier decision as “wrongly decided,” but said it was “water over the dam” because he was “bound to apply that precedent.”

**MODEL OF CHARACTER:** Throughout his career, Judge Kavanaugh has proven to be a model of character, integrity, and public service.

- His mother, a trailblazing prosecutor and trial judge in Maryland, inspired him to pursue a career in law.
- He has spent 25 of the 28 years of his career in public service.
- He tutors low-income students, serves meals to the homeless, and is a lector at church.
- He coaches his daughters’ basketball teams and serves as a mentor to his players.
  - The mother of one player described how Judge Kavanaugh has taken her daughter to the school’s father-daughter dance every year since her husband passed away.
- He is a leader for gender equality and for supporting women in the workplace.
  - More than half of the law clerks he has hired (25 of 48) are women.
  - He was the first D.C. Circuit Judge ever to hire an all-female class of law clerks.
  - 84 percent of his female law clerks have gone on to clerk at the Supreme Court.
  - In a letter to the Senate Judiciary Committee, his female law clerks called him “one of the strongest advocates in the federal judiciary for women lawyers” and said the legal profession is “fairer and more equal” because of him.
- He is a leader in promoting racial equality and advancing minorities in the workplace.
  - He wrote a law review article about ending racial discrimination in jury selection.
  - He regularly visits the Yale and Harvard Black Law Students Association and has taken an active role in helping minority students obtain judicial clerkships.
  - Twenty-seven percent of the law clerks he has hired (13 of 48) are racial/ethnic minorities.

- More than 10 percent of the law clerks he has hired (5 of 48) are African American—much greater than the percentage of African Americans at top law schools.

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